

Whatcom County Superior Court

INTRODUCTION TO GUARDIANSHIP PROCEEDINGS

A Guardianship may be established in Washington for people who are unable, or who are no longer able, to take care of themselves either of their person (“Person”), of their finances (“Estate”), or both. This might be an elderly person, a developmentally disabled person attaining the age of majority (18), or even a fully-functional minor who perhaps received a settlement from an injury or death of their parent(s). These people are referred to as the Alleged Incapacitated Person (“AIP”). For the elderly, the court will weigh whether they had previously made arrangements for someone to take over their affairs, such as by a Power of Attorney. Once a Guardianship is established, the person is referred to as the Incapacitated Person (“IP”). A Guardianship (called a Conservatorship in some states) may authorize a Guardian to act in either a “Full” or “Limited” capacity as appropriate for the needs of the IP.

In 2011, the Washington Legislature enacted significant changes to Guardianship Law that, in essence, requires Guardians to seek court approval of their actions on behalf of the Incapacitated Person. Prior to that a Guardian of a person who would remain developmentally disabled for the duration of their life, for instance, might not have ever had to come back to court after being appointed as Guardian. The law now requires that no more than 3 years go by before the Guardian must obtain court approval of their actions, and the Letters of Guardianship issued by the County Clerk’s Office will expire if this approval process is not met. In turn, doctors, banks, DSHS, etc. must also comply with current law by demanding current Letters of Guardianship proving the Guardian’s authority to act.

The Superior Courts in all counties of this state are charged with:

1. Evaluating and protecting the constitutional rights of the AIP/IP;
2. Making a legal determination of incapacity; and
3. Overseeing compliance with the law. [RCW 11.92.050(4)]

It is the intent of the legislature to protect the liberty and autonomy of all people of this state and to enable them to exercise their rights under the law to the maximum extent, consistent with the capacity of each person. The legislature recognizes that people with incapacities have unique abilities and needs, and that some people with incapacities cannot exercise their rights or provide for their basic needs without the help of a guardian. However, their liberty and autonomy should be restricted through the guardianship process only to the minimum extent necessary to adequately provide for their own health or safety, or to adequately manage their financial affairs. [RCW 11.88.005]

The Whatcom County Superior Court offers procedural instructions and court approved forms for “pro se” parties (meaning parties not represented by an attorney), as well as a Court Facilitator available on a limited schedule to provide basic services with forms and procedures of all stages of a Guardianship. It also maintains a monitoring program to ensure Guardians’ compliance with the law under RCW 11.92.

THE BASIC PROCEDURE IS THIS:

Establishing a Guardianship in Whatcom County

A Petition for Guardianship of Person and/or Estate must be filed with the Superior Court Clerk in the county in which the AIP or their spouse or parent resides. For estates valued at less than \$3,000, the person petitioning for Guardianship (the "Petitioner") may request waiver of the filing fee and for payment of the Guardian ad Litem fee [RCW 11.88.030(4)]; however, who pays the fees is ultimately up to the judge at the hearing [RCW 11.88.090(10)]. Any interested person or entity may petition for a Guardianship. The Petitioner may or may not be the *proposed* Guardian, or a Petition may seek appointment of a Certified Professional Guardian "(CPG)" if there are no interested persons qualified (as defined in RCW 11.88.020) or willing to serve as Guardian. All persons interested in this legal action should be listed in the Petition and notified by mail of the filing of the Petition and court hearing to appoint a Guardian.

At the time the Petition is filed, the Clerk's Office appoints a Guardian ad Litem ("GAL") from an approved list of experienced and trained people, whose job is as a neutral investigator to report to the Court about the appropriateness of the proposed Guardianship arrangements. A GAL has some temporary powers that usually require court approval in emergent situations to protect an AIP from abuse, neglect, abandonment, exploitation and to authorize medical care [RCW 11.88.090 (8) and (9)]. The only time a GAL is not required is when the Petition is brought by a parent on the basis of minority only [RCW 11.88.090(2)(b)], or, at the discretion of a judge when a Guardian is resigning and the Standby Guardian is seeking appointment as Successor Guardian.

The AIP and the GAL must be personally served with a Notice of Guardianship Proceedings and a copy of the Petition for Guardianship within 5 days of filing the Petition. Personal service requires the hand-delivery of these documents by someone not interested in the case in the manner described in RCW 4.28.080 and a Declaration of Service must be filed. A GAL may be willing to sign a form that they "accept service". The AIP is entitled to appointment of an attorney if they request it and that attorney's job is to advocate for the interests of the AIP in the initial Guardianship proceedings. The AIP is entitled to a jury trial on the issue of capacity if so requested [RCW 11.88.045].

The GAL performs an investigation, including medical verifications where appropriate, and the Report of Guardian ad Litem is due within 45 days of their appointment by filing it with the court and serving it on all interested parties. A hearing then must take place, no less than 15 days from the time the GAL Report is filed and no more than 60 days from the date the Petition was filed, unless an extension is granted by the court. Any party to the proposed Guardianship may file a response to the GAL Report in accordance with RCW 11.88.090(7). The Petitioner must schedule the hearing either just before or immediately following the filing of the GAL Report (hearings must be scheduled 2 weeks in advance of the hearing date and all interested persons must be notified of hearing no less than 10 days prior to the hearing in the manner described in RCW 11.88.040).

At the court hearing, the judge may ask questions of any of the involved people present at the hearing if anything is not fully addressed in the Petition and GAL Report, or if the Petition is opposed in any way by other family members or persons interested in the welfare of the AIP. The judge may send – or parties may agree – to settle any dispute in mediation with the cost allocated among the parties. [RCW.11.88.09092]]

The AIP's presence at the hearing may be excused depending on the level of incapacitation that their physical or emotional status prohibits and this is typically addressed in the GAL Report. Usually an Order Appointing Guardian is signed, and the Guardian may then proceed to the Clerk's Office to have Letters of Guardianship ("Letters") issued. This is the proof that the Guardian has legal authority to act on the Incapacitated Person's behalf in accordance with the terms of the Order. Letters of Guardianship typically expire in 3 years, but not more than 5 years [RCW 11.88.127]. At this time the GAL is usually discharged. Estates under \$3,000 do not require a bond, but in situations with more significant assets a bond and proof of blocked accounts, etc. will generally be ordered. An Oath of Guardian and any required bond are required to be on file before the Clerk's Office will issue Letters [RCW 11.88.100].

Duties of Guardian following appointment

All persons interested in continuing to be notified of the Guardian's future filings and court proceedings regarding the Incapacitated Person should be immediately given an opportunity to do so [RCW 11.92.150]. A Standby Guardian is required to be put on file with the court [RCW 11.88.125] within 90 days of appointment of the Guardian. Also within 90 days of the appointment, the Guardian is required to file an Inventory (if the Guardianship is of the Estate) and a Personal Care Plan (if the Guardianship is of the Person) as applicable. A hearing must be scheduled for court approval of the Inventory, Personal Care Plan, Budget and Disbursements [RCW 11.92.040(1)]. At this 90-day hearing the schedule of future court approval is established (see below), although reports due on the status of the IP and a Guardian's accounting still need to be filed every year.

Complete duties of the Guardian are contained in RCW 11.92.040 and .043 and all Guardians should review this law thoroughly prior to being appointed and signing their Oath. At any time there is a change in residence, physical/mental status, or financial condition of the IP, or if there is a change of address of the Guardian and/or Standby Guardian, a notice must be filed with the court within 30 days [RCW 11.92.043(3)]. Court approval is required for sale of an asset of the IP's estate or any other major transaction or change affecting the Guardianship [RCW 11.92.140].

Periodic Reporting and Court Approval

Pursuant to RCW 11.92.040(2), the filing of reports on the status of the IP and Guardian's Accounting, as applicable, are due to be filed yearly within 90 days of the anniversary date of the appointment of the Guardian. A hearing approving Guardian's activities may be required yearly, biennially or triennially, and must occur within 30 days of filing the report(s) on the year requiring court approval. The expiration date on Letters of Guardianship is generally tied to the year the next court approval is

required. Following the hearing, a Guardian who is not represented by an attorney must be either escorted by court staff to the Clerk's Office or wait for the Court Clerk to finish all cases in court to bring the freshly-signed Order to the Clerk's Office to have new Letters of Guardianship issued.

Miscellaneous Provisions

Guardians are specifically prohibited from involuntary commitment of an IP for mental health issues or from consenting to therapy/procedures which induce convulsion, surgery solely for the purpose of psychosurgery, or other psychiatric or mental health procedures that restrict physical freedom of movement or rights of the IP under RCW 71.05.217 or as pursuant to RCW 11.92.190 [RCW 11.92.04395].

A Guardian may resign and have the Standby Guardian (or other proposed Successor Guardian) appointed by wrapping up all accountings and scheduling a court hearing [RCW 11.88.125]. A new GAL investigation may be required by the court.

A Guardianship may be transferred to another County ("change of venue") by initiating those proceedings in the County where the Guardianship was originally established [RCW 11.88.130]. Transfers from state to state require consultation of the law and procedures of the state where the Guardianship was originally established.

A Notice of Death must be filed and a Final Report/Accounting must be approved by the court in order to discharge a Guardian. A Guardian may administer the deceased IP's Estate under RCW 11.88.150 if applicable.

A Guardian may petition the court at any time for instructions on how to proceed in any aspect of the Guardianship.

Any interested party who has filed a Request for Special Notice of Proceedings may petition the court for a citation or issuance of an Order to Show Cause requiring the Guardian to file a report and/or accounting in the event the Guardian has failed to do so as required by court orders [RCW 11.92.160].

The IP, any interested person or entity, or the court on its own motion, may file a complaint to modify or terminate a Guardianship, or replace the Guardian or modify the authority of the Guardian, if it is in the best interest of the IP. The IP is entitled to an attorney of his or her own choosing if requested and if a hearing is directed by the judge. The court must take action, including dismissal without a hearing and potential sanction assessed in case of a frivolous or bad faith complaint, within 14 days after a complaint is filed. A judge may also defer consideration of the complaint to the next regularly scheduled hearing if that is coming up within 3 months of the filing of the complaint [RCW 11.88.120].

Many simple court approval processes may be completed with forms, but in all situations and especially in unique or emergency situations, **the courts highly recommend that parties and interested persons to seek attorney representation for assistance in these potentially complex and important legal matters.**

**INSTRUCTIONS FOR GUARDIAN’S PERIODIC
REPORT AND ACCOUNTING and COURT APPROVAL
for RE-ISSUANCE OF LETTERS OF GUARDIANSHIP**

Please first refer to Introduction to Guardianship Proceedings

1. Periodic Report and Accounting:

Reports on the personal status of the IP and/or an accounting, as applicable to the case, must be filed yearly, within 90 days of the anniversary date of the appointment of the Guardian. (Use form: Guardian’s Report and Accounting). A hearing approving Guardian’s activities will be required yearly, biennially or triennially (every 1, 2 or 3 years), and must occur within 30 days of filing the report(s) on the year requiring court approval. The expiration date on Letters of Guardianship is generally tied to the year the next court approval is required.

The “Guardianship Summary” on the front page of the Order Appointing Guardian is your guiding document for all due dates. The date the Guardian was appointed is referred to as the “anniversary date” by which all other dates can be determined.

The formula for the dates is as follows:

Date Guardian Appointed: _____ (*anniversary date*)

Due Date for Report and Accounting: _____ within 90 days of the anniversary date and
every 1/2/3 years thereafter

Date of Next Review: _____ within 30 days from the Due Date for Report and Accounting
and every 1/2/3 years thereafter

Letters of Guardianship expire: _____ add 30 days to the Date of Next Review (just in case there is any difficulty in getting a hearing), then every 3 years thereafter (*annual reporters may go out to the 5 year maximum provided by law*)

2. Complete the following forms:

1. Petition for Approval of Guardian's Periodic Report and Accounting
2. Guardian's Report and Accounting
3. Note for Motion Docket (see Scheduling and Confirming the Hearing)
4. Order Approving Guardian's Report and Accounting (keep the original to bring to court and file a copy marked "proposed")

3. Take the originals to the Clerk's Office on the 3rd floor of the County Courthouse (8:30 – 4:30) to be filed:

Whenever you file documents at the Clerk's Office, they must be the original documents, except for Orders you will be asking the judge to sign. Complete the Order Approving, sign it, make a copy, mark the copy "proposed", and file the **copy** with the Clerk along with the originals of the Note, Petition, and Report/Accounting (this is the only time they will accept a non-original document). Bring the original Order Approving to court with you for the judge to sign. That signed original Order Approving is then maintained in the court file after the hearing.

4. Scheduling and confirming the hearing:

Complete and file a Note for Motion Docket. Pick a Friday at 1:30 two weeks out, but first make sure the assigned judge is available by looking at Judicial Unavailability on the Whatcom County Superior Court web page. A copy of the 1) Note for Motion Docket, the 2) Petition for Approval, the 3) Guardian's Report and Accounting, and the 4) (Proposed) Order Approving Guardian's Report and Accounting must all be served on or mailed to all interested persons.

On the week of your hearing, between Monday morning and noon on Wednesday, you must CONFIRM that your hearing will be proceeding as scheduled. To confirm your hearing, go to the Superior Court web page and click on “Clerk’s Office”, then “Confirm your hearing”, and click on the link for the judge assigned to your case. If the email link does not work, the direct phone numbers to each judge’s Judicial Assistant are listed on the web page. You may confirm by calling them, or call the Clerk’s Office at 360-778-5560 to be transferred to the appropriate Judicial Assistant.

5. At the hearing:

Arrive before 1:30 and be prepared to stay for 2 hours. All the cases on the calendar will be called and you must state your presence when your case is called. When it is your turn, approach the tables in front of the judge with original Order Approving Guardian’s Report and Accounting in hand. The judge may ask some questions or clarifications of the Guardian. Pass your Order to the clerk, who will pass it to the judge for signature. After all the cases on the calendar have been heard, the courtroom clerk will take the signed Order to the Clerk’s Office, at which time you may proceed to the Clerk’s Office to get new Letters of Guardianship. At the Clerk’s Office, the Order directs the clerk to issue new Letters of Guardianship which will usually be done that afternoon.

6. Next steps:

Follow these steps and use these same forms again, and schedule your hearing by the deadline stated in the most recent Order Approving Guardian’s Report and Accounting (once every 1/2/3 years).

The Guardian is required to file a Notice of Change in Circumstances within 30 days of any change in the IP’s health, living arrangements, or financial condition.

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHATCOM

In the Guardianship of: _____) Case No.: _____
_____,)
) PETITION FOR ORDER
) APPROVING
) GUARDIAN’S REPORT
) AND ACCOUNTING
An Incapacitated Person. _____)

The Guardian petitions the Court for approval of the Guardian’s Report and Accounting for the current reporting period ending _____. The Guardian’s Report and Accounting is being filed with this Petition.

1.1 Guardianship History. The undersigned was appointed
[] Full [] Limited Guardian of the Person (“Guardian of the Person”) and/or
[] Full [] Limited Guardian of the Estate (“Guardian of the Estate”) on _____.

1.2 Periodic Approval: The Order Appointing Guardian directs that this approval be sought every [] 12 [] 24 [] 36 months. The Guardian requests that this periodic approval period [] remain the same, or [] be changed to every [] 12 [] 24 [] 36 months because: _____

1 **1.3 Bond.** The Bond in this matter is [] N/A [] or in the amount of \$_____.

2 Guardian requests the Bond [] remain the same, or [] be changed to \$_____

3 because: _____

4 **1.4 Notice.** The following persons are entitled to notice of this hearing:

5 _____

6 _____

7 **1.5 Fees.** The Guardian requests approval of his/her fees in the amount of \$_____.

8 A summary of the Guardian's work on behalf of the Incapacitated Person is attached hereto
9 as Exhibit A.

10 **1.6 Letters of Guardianship.** The current Letters of Guardianship expire _____.

11 [] new Letters of Guardianship are not requested or necessary at this time, or [] the

12 Guardian requests the Court to authorize the Clerk to reissue Letters of Guardianship as
13 follows:

14 [] Full [] Limited Letters of Guardianship of the Person to *(name of guardian(s))*
15 _____ to be valid until _____ *(150 days*
16 *following the end of the next reporting period).*

17 [] Full [] Limited Letters of Guardianship of the Estate to *(name of*
18 *guardian(s))* _____ to be valid until _____
19 *(150 days following the end of the next reporting period).*

20 **1.7 Other:** _____

21 WHEREFORE, the Guardian requests an Order:

22 **2.1** Approving the Guardian's Report and Accounting and the actions of the Guardian;

23 **2.2** Approving requested changes to the periodic approval period and/or Bond;

24 **2.3** Approving the Guardian's fees, if any; and

25 **2.4** Directing the Clerk to reissue Letters of Guardianship as appropriate.

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3 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE
4 STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

5 Signed at _____, Washington, _____, ____20____.

6

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8 _____
Signature

8 _____
Printed Name

9 _____
Address

9 _____
Telephone/Fax Number

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11 _____
City, State, Zip Code

11 _____
Email Address

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHATCOM

In the Guardianship of: _____) Case No.: _____
)
) GUARDIAN'S REPORT AND
) ACCOUNTING
)
An Incapacitated Person.) (ANR)

NOTE: This form is to be used for estates valued at less than \$80,000.00. If you need more room to answer any item, please attach an additional page.

1. Date of Appointment and Reporting Period: The Guardian was appointed on _____ This Report covers the period from _____ through _____ The closing date for all reports is (*anniversary date of appointment*) _____, and the Guardian is required to file reports within 90 days of that date. The Guardian is to file a report every [] 12, [] 24, [] 36 months.

2. Continued Certification of Qualifications: The Guardian hereby certifies under penalty of perjury that he or she is over the age of eighteen, of sound mind, and has never been convicted of a felony or a misdemeanor involving moral turpitude, filed personal bankruptcy or been removed as a fiduciary in any proceeding for cause.

(Please explain the circumstances if any you do not meet any of the conditions above.)

_____.

1 **3. Scope of Guardianship:** [Check all boxes that are appropriate.]

2 [] Full Guardianship of the Person [] Full Guardianship of the Estate

3 [] Limited Guardianship of the Person [] Limited Guardianship of the Estate

4 [] The Incapacitated Person is a beneficiary of a Trust, which was approved by the
5 Court or is subject to court supervision. The Trustee's name, address, and court case no. are:

6 _____.

7 **4. Contact Information for Incapacitated Person, Guardian and Standby Guardian:**

8

	Incapacitated Person	Guardian	Standby Guardian
9 Full Name:			
10 Mailing Address:			
11 City, State & Zip:			
12 Telephone Number:			
13 Fax Number:			
14 Email Address:			

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17 **5. Interested Parties:** (*List each person who has filed a Request for Special Notice of*
18 *Proceedings and those whom the Court has designated to receive copies of reports.*)

19

Name	Mailing Address	Relationship to Incapacitated Person
20		
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1 **6. Personal Care Plan:** (To be filled out by all Guardians of the Person.)

2 **a. Status:** The Incapacitated Person is now _____ years of age.

3 [] The Guardian believes that the Incapacitated Person is receiving satisfactory care
4 OR

5 [] the Guardian has the following concerns for which a change is requested
6 _____.

7 **b. Change in Residence:** The following changes in residence of the Incapacitated
8 Person occurred during the reporting period: _____.

9 **c. Medical Condition:** The medical condition of the Incapacitated Person is (list all
10 disabilities and changes that occurred during the report period):
11 _____

12 **d. Mental Condition:** The mental condition of the Incapacitated Person (list diagnosis,
13 if any, and changes that occurred during the report period):
14 _____

15 **e. Changes in Incapacitated Person's Functional Ability:** A description of changes,
16 if any, in the functional abilities of the Incapacitated Person:
17 _____

18 **f. Activities of the Guardian Taken on Behalf of the Incapacitated Person:** The
19 following is a description of the activities in which the Guardian has engaged for the
20 benefit of the Incapacitated Person: _____
21 _____

22 **g. Description of Recommended Changes in Scope of Authority of Guardian:** The
23 scope of authority of the Guardian

24 [] remains the same, OR

25 [] should be changed as follows: _____

26 **h. Names of Professionals Who Have Aided the Incapacitated Person:** The
following professionals have assisted the Incapacitated Person during the period
covered by this report: _____

1 **i. Guardian's Plan for Future Care.** The Guardian's care plan, [] remains the
2 same, OR [] is changed as follows: _____
3

4 **7. Estate Information** *(To be filled out by all Guardians of the Estate. If you serve as*
5 *Guardian of the person only, you do not have to complete the following section. Please*
6 *make sure that you have signed where indicated below.)*

7 **a. Interested Governmental Agencies:** *(Check each box that is applicable.)*

8 [] The Incapacitated Person is a veteran who has served in the United States
9 Military. Notice must be provided to: The Department of Veteran Affairs, Henry M.
10 Jackson Federal Building, 915 Second Avenue, Seattle, WA 98174 fifteen days prior
11 to filing this Report with the Court.

12 [] The Incapacitated Person is receiving Medicaid long-term funded care from
13 the Department of Social and Health Services. Fees and costs of the Guardian or the
14 Guardian's attorney are being sought as an adjustment to the Incapacitated Person's
15 amount of participation. Notice must be provided to the Department of Social and
16 Health Services regional administrator of the program that is providing services to
17 the Incapacitated Person ten days prior to filing this Report with the Court.

18 **b. Benefits Received.** The Guardian receives the following benefits on behalf of
19 the Incapacitated Person: [] SSDI/SSA; [] SSI; [] Medicaid; []
20 Medicare; [] Copes; [] TANF; [] HUD; [] Food Stamps; []
21 GAU; [] Public Assistance; [] VA; [] CSA; []
22 Other-Specify: _____

23 **c. Inventory.** An Inventory of all property of the Incapacitated Person's estate at
24 the commencement of the Guardianship [] is, or [] is not on file herein. An
25 updated inventory is contained in this Report.

26 **d. Bond/Blocked Accounts.** [] N/A [] There is \$ _____ in
 unblocked accounts and \$ _____ in blocked financial accounts. The
 Guardianship bond issued by _____ identified by
 bond number _____, and is in the amount of \$ _____ .

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For Accounting Period starting _____ and ending _____.

Total Assets at Market Value as of the beginning of review period \$ _____.

Income:	
Social Security:	\$ _____
SSI:	\$ _____
VA/Railroad/CSA Pension:	\$ _____
Retirement Pension:	\$ _____
Wages:	\$ _____
Interest and Dividends:	\$ _____
Other:	\$ _____

Total Income: \$ _____

Disbursements:	
Room and Board: (<i>Rent, Nursing Home</i>)	\$ _____
Personal Funds:	\$ _____
Entertainment & Travel:	\$ _____
Transportation (<i>mileage, bus pass, taxi scrip, etc.</i>)	\$ _____
Medical and Dental:	\$ _____
Guardian Fees:	\$ _____
Attorney Fees:	\$ _____
Other:	\$ _____

Total Disbursements: \$ _____

Adjustments:
(Net gain/loss in value of assets over accounting period) \$ _____

Total Assets: (as of closing date of accounting period) \$ _____

Explanation: (for any large or unusual expenditures, adjustments, or purchases)

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Asset List: (For all financial accounts, include the type of account, account number, bank or company name, and branch location. You may use the figures from the last statement received from a bank or company prior to the ending date of the accounting period.)

<i>(Please use only last four digits of the account numbers.)</i>			Balance/Market Value
Account #:	Type:	With:	\$
Account #:	Type:	With:	\$
Account #:	Type:	With:	\$
Other:			\$

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT TO THE BEST OF MY KNOWLEDGE THE STATEMENTS IN THIS GUARDIAN'S REPORT AND ACCOUNTING AND ALL ATTACHMENTS HERETO ARE TRUE AND CORRECT.

Signed at _____, Washington, _____, ____20____.

Signature of Guardian

Printed Name of Guardian, WSBA/CPG#

Address

Telephone/Fax Number

City, State, Zip Code

Email Address

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR WHATCOM COUNTY

In the Guardianship of:

An Alleged Incapacitated Person.

NO. _____

ASSIGNED JUDGE: _____

NOTE FOR MOTION DOCKET (NTMTDK)

Civil Motion Calendar - subject to Confirmation that hearing will proceed and other provisions of WCCR 77.2

NOTE FOR MOTION DOCKET

Please take note that the issue in this case will be heard on the date set out in the margin and the clerk is requested to note the same on the motion docket for that day, **subject to the confirmation rule.**

FRIDAY @ **1:30 p.m.**
Date and Time of Hearing

Nature of Hearing:

- Petition for Order Appointing Guardian
- 90-day review of Inventory / Personal Care Plan
- Annual Biennial Triennial Review
- Appoint Successor Guardian
- Transfer Venue to another County
- Close Guardianship

CERTIFICATE OF MAILING:

I certify under penalty of perjury under the laws of the State of Washington that I mailed a copy of this document to the parties listed below, postage prepaid on the ____ day of _____, 20__

By: Signature _____

DATE SUBMITTED: _____
SUBMITTED BY: _____

Signature of Lawyer or Moving Party _____

Print or Type Name; (and WSBA # if Attorney) _____

Address: _____

Telephone _____

If Attorney, Party Represented: _____

oPetitioner _____

oRespondent/Other: _____

NAME (below) _____ WSBA: _____

ADDRESS: _____

Attorney for: Petitioner Respondent/Other

NAME (below) _____ WSBA: _____

ADDRESS: _____

Attorney for: Petitioner Respondent/Other

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHATCOM

In the Guardianship of: _____, An Incapacitated Person. _____))))))))))	Case No.: ORDER APPROVING GUARDIAN'S REPORT AND ACCOUNTING, (ORAPRT) (CLERK'S ACTION REQUIRED Paragraph 2.4, 2.5,2.6, 2.7)
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GUARDIANSHIP SUMMARY

Date Guardian Appointed: (<i>“Anniversary Date”</i>)	
Due Date for Report and Accounting: (<i>within 90 days of Anniversary Date every [] 12 [] 24 [] 36 months</i>)	
Date of Next Review: (<i>within 30 days of Report Due Date every [] 12 [] 24 [] 36 months</i>)	
Letters Expire On: (<i>30 days following the date of the next review hearing, allowing time to get to court</i>)	
Bond Amount:	<input type="checkbox"/> N/A or \$_____
Restricted Account Agreements Required:	<input type="checkbox"/> N/A <input type="checkbox"/> ON FILE <input type="checkbox"/> OTHER

<u>Incapacitated Person (IP)</u>	<u>Guardian of [] Estate [] Person</u>
<u>Name:</u>	<u>Name:</u>
<u>Address:</u>	<u>Address:</u>
<u>Phone:</u>	<u>Phone:</u>
<u>E-mail Address:</u>	<u>E-mail Address</u>
<u>Relationship of Guardian (s) to IP:</u>	

<u>Standby Guardian</u>	<u>Address</u>	<u>Relation to IP</u>

<u>Interested Parties</u>	<u>Address</u>	<u>Relation to IP</u>

FINDINGS OF FACT

- 1.1. The facts alleged in the Guardian’s Report and Accounting and all the attachments thereto are true and include all of the facts necessary to give this court jurisdiction over this matter and the parties.
- 1.2. All acts required of the Guardian to date have been performed.
- 1.3. Notice has been properly provided to persons entitled to notice of this presentation.

ORDER

Having reviewed the Guardian’s Report and Accounting, the Court now orders:

- 2.1 The Guardian’s Report and Accounting is approved;
- 2.2 The Guardian shall file the next Report and Accounting for the 12 24 36 month period from the anniversary date of the appointment of guardian; and the Report and Accounting shall be presented to the Court for review and approval within 90 days following the conclusion of that reporting period;
- 2.3 The Guardian fees of \$_____, attorney fees of \$_____ and costs of \$_____ are found to be reasonable, necessary, and are approved for payment by the Guardian from the assets of the guardianship estate;
- 2.4 Bond in the current amount of \$_____ remains the same or is changed to \$_____; and
- 2.5 The Clerk of the Court is authorized to reissue Full Limited Letters of Guardianship of the Person to *(name of guardian(s))* _____ to be valid until _____ *(150 days following the end of the next reporting period)*.
- 2.6 The Clerk of the Court is authorized to reissue Full Limited Letters of Guardianship of the Estate to *(name of guardian(s))* _____ to be valid until _____ *(150 days following the end of the next reporting period)*.
- 2.7 Other: _____
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DATED AND SIGNED IN OPEN COURT THIS ___DAY OF _____, 20__.

Judge/Court Commissioner

Presented by:

Signature

Printed Name

Address

Telephone/Fax Number

City, State, Zip Code

Email Address